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EXTRAORDINARY

PART II—Section 1

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MINISTRY OF LAW

New Delhi, the 11th November, 1951

The following President's Act enacted on the 11th November, 1951, is published for general information.—

THE PUNJAB SECURITY OF THE STATE (AMENDMENT) ACT, 1951.

No. III of 1951

An Act to amend the Punjab Security of the State Act, 1951

[11th November, 1951]

In exercise of the powers conferred by section 3 of the Punjab State Legislature (Delegation of Powers) Act, 1951 (XLVI of 1951), the President is pleased to enact as follows:—

1. Short title and commencement.—(1) This Act may be called the Punjab Security of the State (Amendment) Act, 1951.

(2) It shall come into force at once.

2. Amendment of section 1, President's Act I of 1951.—To sub-section (3) of section 1 of the Punjab Security of the State Act, 1951 (hereinafter referred to as the principal Act), the words and figures "and shall remain in force up to the 12th day of September, 1953" shall be added.

3. Amendment of section 2, President's Act I of 1951.—In section 2 of the principal Act,—

(a) in sub-section (1), the words "impair the efficiency or" shall be omitted;

(b) in sub-section (3), for the words "reason to believe", the words "reasonable grounds for believing" shall be substituted;

(c) in sub-section (4), for the word "three", the word "two" shall be substituted.

4. Amendment of section 3, President's Act I of 1951.—In section 3 of the principal Act,—

(a) in sub-section (1), for the words “organised and trained or organised and equipped either for the purpose of enabling them to be employed for the use or display of force or in such manner as to arouse reasonable apprehension that they are organised and either trained or equipped for that purpose”, the words “for the unauthorised use or display of force” shall be substituted;

(b) in sub-section (2), for the words “two years”, the words “one year” shall be substituted.

5. Amendment of section 4, President's Act I of 1951.—In section 4 of the principal Act,—

(a) for the word “practice”, the words “unauthorised practice” shall be substituted;

(b) for the words “preparation for the use”, the words “preparation for the organised use” shall be substituted.

6. Amendment of section 5, President's Act I of 1951.—In section 5 of the principal Act,—

(a) in sub-section (1)—

(i) the words “make or” shall be omitted;

(ii) for the words “a movement prejudicial to the security of the State or the maintenance of public order”, the words “any organisation declared unlawful by the Government” shall be substituted;

(b) in sub-section (3), for the words, figure and brackets “contravenes the provisions of sub-section (1)”, the words “publicly wears, carries or displays any such uniform, flag, banner or emblem” shall be substituted.

7. Amendment of section 6, President's Act I of 1951.—In section 6 of the principal Act,—

(a) after the words “by order in writing”, the words “from time to time” shall be inserted;

(b) for the words “during such period”, the words “for such period not exceeding two months” shall be substituted;

(c) the *Explanation* shall be omitted.

8. Amendment of section 7, President's Act I of 1951.—In sub-section (1) of section 7 of the principal Act,—

(a) for the words, “the interests of the general public”, the words “the security of the State or the maintenance of public order” shall be substituted;

(b) in clause (d)—

(i) the words “or do both,” shall be omitted;

(ii) for the words “authority or person”, the word “magistrate” shall be substituted.

9. Amendment of section 8, President's Act I of 1951.—In section 8 of the principal Act,—

(a) in sub-section (1)—

(i) in clause (a), the words "or on premises in his occupation or under his control" shall be omitted;

(ii) the words "unless he proves that he was unaware of the nature of the document" shall be omitted;

(b) in sub-section (2), for the word "allows", the words "intentionally permits" shall be substituted.

10. Amendment of section 9, President's Act I of 1951.—In section 9 of the principal Act,—

(a) in sub-section (2)—

(i) in clause (a), for the words "The maintenance of law and order, the public safety or the public revenues", the words "or the maintenance of law and order" shall be substituted;

(ii) the word "forthwith" shall be omitted;

(b) in sub-section (6), clause (u) and the *Explanation* shall be omitted.

11. Omission of sections 10 and 11, President's Act I of 1951.—Sections 10 and 11 of the principal Act shall be omitted.

12. Amendment of section 12, President's Act I of 1951.—In section 12 of the principal Act,—

(a) sub-section (1) shall be omitted;

(b) in clause (a) of sub-section (2), for the words "the maintenance of public order or the interests of the general public", the words "or the maintenance of public order" shall be substituted.

13. Amendment of section 13, President's Act I of 1951.—In section 13 of the principal Act, for the words "and non-bailable", the words "and shall, if the offence is punishable with imprisonment for a term which may extend to a period exceeding one year, be non-bailable" shall be substituted.

14. Omission of section 14, President's Act I of 1951.—Section 14 of the principal Act shall be omitted.

15. Amendment of Schedule, President's Act I of 1951.—In clause (f) of the Schedule to the principal Act, for the words "of general use", the words "essential to the life of the community" shall be substituted.

RAJENDRA PRASAD,
President.

K. V. K. SUNDARAM,
Secy. to the Govt. of India.

Reasons for the enactment

The Punjab Security of the State Act, 1951 (President's Act I of 1951), was enacted by the President on the 12th September, 1951. In accordance with the provisions of section 3(8) of the Punjab State Legislature

(Delegation of Powers) Act, 1951, the President's Act was laid before Parliament on the 21st September, 1951. Within seven days *i.e.* on the 28th September, 1951, Parliament passed a resolution directing certain modifications to be made in the Punjab Security of the State Act, 1951. This Act seeks to incorporate these modifications.

H. V. R. IENGAR,
*Secy. to the Govt. of India,
Ministry of Home Affairs.*